

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	<b>STATEMENT OF FEES &amp;</b>
-and-	:	<b>EXPENSES</b>
	:	
THE VULCAN SOCIETY, INC., for itself and on behalf of	:	<b>07-cv-2067 (NGG)(RLM)</b>
its members, and MARCUS HAYWOOD, CANDIDO	:	
NUÑEZ and ROGER GREGG, individually and on behalf	:	
of a class of all others similarly situated,	:	
	:	
Plaintiffs-Intervenors,	:	
	:	
-against-	:	
	:	
THE CITY OF NEW YORK,	:	
	:	
Defendant.	:	
-----X	:	

MARY JO WHITE, Special Master.

This third Statement of Fees and Expenses is submitted in accordance with the Court's June 1, 2010 Order Appointing Special Master (the "Appointment Order") (Dkt. No. # 448, ¶ 14). The Appointment Order requires that:

Every 60 days, the Special Master shall submit to the court an itemized statement of fees and expenses, which the court will inspect for regularity and reasonableness. If the court determines the itemized statement is regular and reasonable, the court will sign it and transmit it to the parties. The City shall then remit to the Special Master any court-approved amount, within 20 calendar days of court approval.

(*Id.*)

The Special Master and her law firm have agreed to work on a pro bono basis and accordingly, there are no fees to be paid. For the period of September 28 through November 12, 2010, the Special Master has incurred expenses totaling \$136.46. An itemized list of the expenses is attached as Exhibit 1.

This statement also includes Dr. Pittman's fees and expenses for the months of September and October. For the month of September, Dr. Pittman's fees were \$2,625.00. She had no expenses. For the month of October, her fees were \$3,687.50 and her expenses were \$1,035.80, for a total of \$4,723.30. Invoices for Dr. Pittman's fees and expenses are attached hereto as Exhibits 2 and 3. These fees fall under the projected monthly fees of between \$7,000 to \$17,000 stated in the Special Master's Application for Approval of Proposed Budget for Special Master's Expert Consultant (Dkt. No. 516), which was approved by the Court on September 3, 2010 (Dkt. No. 519).

Accordingly, the total expenses for the Special Master's work for this period were \$7,484.76. We respectfully request that that Court approve all of these expenses.

/s/ Mary Jo White

Mary Jo White

Dated: November 29, 2010

# **Exhibit 1**

DEBEVOISE & PLIMPTON LLP

919 Third Avenue  
New York, NY 10022  
Tel 212 909 6000  
Fax 212 909 6836  
www.debevoise.com

***EASTERN DISTRICT OF NEW YORK-Special Master  
Appointment***

11/29/2010

Invoice Number: 1208067

*Disbursements and Charges itemized for the period Sep 28, 2010 to Nov 12, 2010.*

***Breakdown of Charges and Disbursements***

<b><u>Description</u></b>	<b><u>Amount</u></b>
Word Processing - Non Network	\$16.60
Telephone Conferencing & Outside Vendors	\$34.09
Duplicating	\$44.40
Telephone Toll Calls	\$8.11
Late Night Transportation	33.26
<b>Matter Total</b>	<b>\$136.46</b>

## **Exhibit 2**

Invoice for Services from:

**The Pittman McLenagan Group, L.C.**

6626-A Wilson Lane  
Bethesda, MD 20817  
301.320.9500

Invoice to:  
Philip A. Fortino  
Debevoise & Plimpton LLP  
919 Third Avenue  
New York, New York 10022

**Billing Hours for Client: NYC v US**  
Sep-10

<b>Project:</b>	Testing Program	
<b>Invoice #:</b>		PHITP Sep-10
<b>Terms:</b>	Net 15	
<b>Inv. Date:</b>	10/1/2010	
<b>Please Remit this Amount:</b>	<b>\$2,625.00</b>	
<b>Remit to:</b>	<b><u>The Pittman McLenagan Group, L.C.</u></b>	
	6626-A Wilson Lane	
	Bethesda, MD 20817	

Date	Project Description	Hours	Cost
9/2/2010	Discussion with M.B. Hogan	0.50	\$125.00
9/3/2010	Discussion with M.B. Hogan	0.25	\$62.50
9/7/2010	Call with P. Fortino	0.25	\$62.50
9/8/2010	Review of data	0.75	\$187.50
9/9/2010	Call with P. Fortino	0.50	\$125.00
9/9/2010	Review of documents	0.50	\$125.00
9/10/2010	Call with P. Fortino	0.50	\$125.00
9/10/2010	Weekly update call with experts	1.25	\$312.50
9/13/2010	Review of materials	0.50	\$125.00
9/13/2010	Call with C. Dike	0.25	\$62.50
9/14/2010	Review of materials	0.75	\$187.50
9/14/2010	Review of expert correspondence	0.50	\$125.00
9/14/2010	Call with P. Fortino and preparing responses	1.00	\$250.00
9/14/2010	Review of response/comments	0.50	\$125.00
9/24/2010	Review of materials	0.50	\$125.00
9/24/2010	Weekly update call with experts	1.50	\$375.00
9/29/2010	Call with P. Fortino	0.50	\$125.00
			\$0.00
		<b>10.50</b>	<b>\$2,625.00</b>

## **Exhibit 3**

Invoice for Services from:

**The Pittman McLenagan Group, L.C.**

6626-A Wilson Lane  
 Bethesda, MD 20817  
 301.320.9500

Invoice to:  
 Philip A. Fortino  
 Debevoise & Plimpton LLP  
 919 Third Avenue  
 New York, New York 10022

**Billing Hours for Client: NYC v US**  
 Oct-10

<b>Project:</b>	FDNY Entry Level Testing
<b>Invoice #:</b>	FDNY Oct-10
<b>Terms:</b>	Net 15
<b>Inv. Date:</b>	11/1/2010
<b>Please Remit this Amount:</b>	<b>\$4,723.30</b>
<b>Remit to:</b>	<b><u>The Pittman McLenagan Group, L.C.</u></b> 6626-A Wilson Lane Bethesda, MD 20817

Date	Project Description	Hours	Cost
10/4/2010	Conference call	1.00	\$250.00
10/5/2010	Call with P Fortino	0.25	\$62.50
10/10/2010	Review of materials	1.00	\$250.00
10/11/2010	Experts meeting in Denver	7.00	\$1,750.00
10/15/2010	Conference call	1.25	\$312.50
10/21/2010	Review of materials	0.75	\$187.50
10/22/2010	NYC conference call	0.50	\$125.00
10/28/2010	Review of materials	0.75	\$187.50
10/29/2010	Review of materials	0.75	\$187.50
10/29/2010	NYC conference call	1.00	\$250.00
10/29/2010	Review of materials; discussions with C. Dike	0.50	\$125.00
			<b>\$0.00</b>
expenses			<b>\$1,035.80</b>
			<b>14.75 \$4,723.30</b>